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May 15, 2025

BY ECF

Honorable Joseph A. Marutollo
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
New York, NY 10007

Re: Ricco D. Slade v. City of New York, et al.,
24-CV-6711 (NCM) (JAM)

Your Honor:

I am a Senior Counsel in the Office of Muriel Goode-Trufant, Corporation Counsel of the City of New York, and write on behalf of defendant Detective Stephen Gassick in the above-referenced matter.¹ I write respectfully to request an extension of Detective Gassick's time to answer or otherwise respond to the complaint from May 15, 2025, until 21 days after proof of service on Detective Julio Tejada has been entered on the docket.

At the outset, the undersigned apologizes for not complying with Your Honor's Individual Rule IV requiring that extension requests be filed at least two business days prior to the deadline. The filing of this motion was delayed in order to ascertain plaintiff's position on the request, as required by Your Honor's Individual Rules. The earliest Auburn Correctional Facility could produce plaintiff for a legal call was today, and having now spoken with plaintiff, we can report that he consents to this request.

By way of background, on April 14, 2025, this Office completed its response to the Court's Valentin Order by identifying Detective Julio Tejada as the second John Doe detective. On that same date, this Office requested an extension of time for Detective Gassick to respond to the

¹ This case has been assigned to Assistant Corporation Counsel John McLaughlin, who is presently awaiting admission to the Eastern District of New York and is handling this matter under my supervision. Mr. McLaughlin may be reached directly at (212) 356-2670 or by email at jmclaugh@law.nyc.gov.

complaint (ECF No. 19), which Your Honor granted on April 14, 2025, extending the deadline to May 15, 2025. This is Detective Gassick's second request for an extension of time to respond to the complaint.

On information and belief, Detective Tejada has not yet been served with process in this case. In the event that Detective Tejada is timely served, this enlargement may allow this office time to conduct an inquiry to determine whether it will represent him in this action. *See* General Municipal Law § 50(k); *Mercurio v. City of New York, et al.*, 758 F.2d 862, 864-65 (2d Cir. 1985); *Williams v. City of New York, et al.*, 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law).

In the event that this office does undertake Detective Tejada's representation, the requested extension of time will allow this office to submit a single response to the complaint on behalf of both Detective Gassick and Detective Tejada rather than potentially interposing responses thereto on separate dates. This approach would serve the interests of judicial economy and efficiency.

For the reasons set forth herein, defendant Detective Gassick respectfully requests that his time to answer or otherwise respond to the complaint be extended until 21 days after proof of service on Detective Tejada has been entered on the docket.

Thank you for your consideration of this request.

Respectfully Submitted,

Joseph Zangrilli /s/

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